

T. Fleming  
Paper No. 26

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

In re Brooklyn Bottling Corporation

Serial No. 74/104,891

Before Simms, Seeherman and Quinn, Administrative Trademark  
Judges.

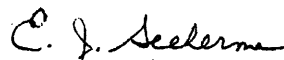
Opinion by Simms, Administrative Trademark Judge:

On January 26, 1994, the Board reversed the refusal of registration under Section 2(d) but affirmed the requirement for a disclaimer of the word "TROPICAL" apart from the mark. Applicant was allowed thirty days in which to submit the required disclaimer.

On February 4, 1994, applicant submitted a disclaimer of the word "TROPICAL" apart from the mark. The disclaimer is hereby entered. In view of the submission of this disclaimer, the application will be forwarded for publication in due course.

  
R. L. Simms

  
T. J. Quinn

  
E. J. Seeherman  
Administrative Trademark  
Judges, Trademark Trial  
and Appeal Board

15 MAR 1994